IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1648 OF 2005

Mrs. Hira Bhesania ...Applicant

Versus

Mrs. Perin S. Bagli & Anr ...Respondents

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Mr. Amit Ghag, Advocate for Applicant

Mr. Mihir Gheewala, Adv. for Respondent No.1.

Mr. D.P. Adsule, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 25TH AUGUST, 2005

P. C.:-

1. Heard the learned advocate for the applicant i.e. original accused, the learned advocate for the respondent No.1 i.e. original complainant and the learned A.P.P. for the State.

2. The applicant is seeking quashing of Criminal proceedings relating to C.C. No.474/W/2003 which is pending before the learned Metropolitan Magistrate, 4th Court, Girgaon, Mumbai. The said proceedings are under Sections 465, 467, 471, 109 and 114 of I.P.C. It may be stated here that the complaint was initially filed against the applicant and other one accused i.e. Mr. Behram D. Bhesania. The

co-accused Mr. Behram D. Bhesania has since expired and the prosecution is going on only in respect of the present applicant.

3. The learned advocate for the respondent No.1 i.e. original complainant has tendered affidavit of the complainant which is taken on record and marked as Exh."X" for identification. In the said affidavit, it is stated that the differences between the complainant and the applicant have been resolved and the complainant does not wish to pursue her complaint.

4. Looking to the fact that the dispute between the parties has been amicably settled between the parties and looking to the fact that the complainant does not wish to pursue her complaint, I am of the opinion that no purpose would be achieved by continuing with the proceedings in the said case, hence, the complaint No.474/W/2003 and the proceedings relating thereto are quashed.

5. Application is disposed of.

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